

AF PFJ  
[10191/1378]



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Andreas KYNAST et al.

For: METHOD FOR TRANSMITTING  
INFORMATION AND TERMINAL  
DEVICE TO RECEIVE INFORMATION

Filed: May 15, 2000

Serial No.: 09/554,553

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**AARON C. DEDITCH**

(33,865)

**APPEAL BRIEF TRANSMITTAL**

SIR:

Accompanying this Appeal Brief Transmittal is an Appeal Brief pursuant to 37 C.F.R. § 41.37 in triplicate as a courtesy (even though not required) for filing in the above-identified patent application. The Notice of Appeal was mailed on February 16, 2007 and filed on February 21, 2007, so that the two-month Appeal Brief due date is April 21, 2007.

Please charge the appropriate fees of \$500.00 (which includes the Appeal Brief fee under 37 C.F.R. § 1.17(c) (which is believed to be \$500.00)) to Deposit Account No. 11-0600. The Commissioner is also authorized, as necessary and/or appropriate, to charge any additional and appropriate fees, including any Rule 136(a) extension fees, or credit any overpayment to Deposit Account No. 11-0600. Two duplicate copies of this transmittal are enclosed for these purposes.

Respectfully submitted,

Dated: 4/13/2007

By: [Signature]

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[10191/1378]

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on 4/13/2007  
Date: 4/13/2007  
Signature: AARON C. DEDITCH  
(33,865)

**APPEAL BRIEF PURSUANT TO 37 C.F.R. § 41.37**

SIR:

In the above-identified patent application ("the present application"), Appellants mailed a Notice Of Appeal on February 16, 2007 (which was filed by the Patent Office on February 21, 2007) from the Final Office Action mailed by the U.S. Patent and Trademark Office on September 19, 2006, so that the two-month appeal brief filing date is April 21, 2007.

In the Final Office Action, claims 8 to 18 were finally rejected.

A Response After A Final Office Action was mailed on December 8, 2006. An Advisory Action was mailed on January 9, 2007. No Amendments were filed subsequent to the final rejection of the claims.

*The Appeal Brief is believed to comply with all the requirements of Rule 41.37. It is noted that the "concise explanation" language of the Rule is like the "concise explanation" requirement of former Rule 37 CFR 1.192, and that the length of the concise explanation provided herein should therefore be acceptable, since the format was acceptable under 37 CFR 1.192 and since it specifically defines the subject matter of the relevant claims involved in the appeal. AARON C. DEDITCH (reg. no. 33,865) has filed many appeal briefs,*

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U.S. Pat. App. Ser. No. 09/554,553  
Attorney Docket No. 10191/1378  
Appeal Brief

*the concise explanation for which has almost always been accepted by the Patent Office. **The Office is encouraged to contact the undersigned if there are any questions as to the description of the claimed subject matter.***

*It is noted that the Patent Office Rules do not require the Applicants to include references cited by and relied upon by the Examiner in the Evidence Appendix (although it is required by the Office for the Examiner). In the present Appeal, the Applicants have not submitted any evidence on which they intend to rely, so that the Evidence Appendix lists no evidence.*

It is respectfully submitted that this Appeal brief complies with 37 C.F.R. 41.37. Although no longer required by the rules, this Brief is submitted in triplicate as a courtesy to the Appeals Board.

It is respectfully submitted that the final rejections of claims 8 to 18 should be reversed for the reasons set forth below.

**1. REAL PARTY IN INTEREST**

The real party in interest in the present appeal is Robert Bosch GmbH (“Robert Bosch”) of Stuttgart in the Federal Republic of Germany. Robert Bosch is the assignee of the entire right, title and interest in the present application.

**2. RELATED APPEALS AND INTERFERENCES**

There are no interferences or other appeals related to the present application, which “may be related to, will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal”.

**3. STATUS OF CLAIMS**

**Claims 1 to 7 have been canceled.**

A. Claims 8 to 14 and 16 to 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 5,949,492 (“Mankovitz”) and U.S. Patent No. 5,872,926 (“Levac”).

B. Claim 15 was rejected under 35 U.S.C. 103(a) as unpatentable over Mankovitz and Levac in view of U.S. Patent No. 5,699,255 (“Ellis”).

Appellants appeal from the final rejections of claims 8 to 18. A copy of all of the pending and appealed claims is attached hereto in the Claims Appendix.

**4. STATUS OF AMENDMENTS**

In response to the Final Office Action mailed on September 19, 2006, Appellants filed a **Response After A Final Office Action** (“the Response After Final”), which was mailed on December 8, 2006. The Response After Final did not include any amendments to the claims.

*It is understood that all Amendments to date have been entered.*

**5. SUMMARY OF CLAIMED SUBJECT MATTER**

The claimed subject matter is described as follows, and is directed to addressing the following problems and/or providing the following benefits. In this regard, to better assist

the Office, italicized text is provided which corresponds generally to the claimed subject matter.

An object of the claimed subject matter is to provide methods for transmitting information and terminal devices for receiving data, in which data providers provide data services that are adapted to the data processing capabilities of the terminal devices.

*The claimed subject matter of claim 8 concerns a method for transmitting information between an infrastructure and data users 1, 2, the infrastructure including a service provider 3, the data users 1, 2 including terminal devices 1, 2 in a motor vehicle, the terminal devices having specific different data processing capabilities, the method including making a single data service 4 available in a standardized format, using the infrastructure, and via interfaces 6, 7 situated in the infrastructure, adapting data from the single data service 4 in the standardized format to the different data processing capabilities of the terminal devices 1, 2, wherein the different data processing capabilities of the terminal devices are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to the service provider. (See, for example, page 4, line 12 to page 6, line 19, and Fig. 2).*

*As to the claimed subject matter of claim 11, it concerns a terminal device 1, 2 for a reception of data from an infrastructure, the terminal device 1, 2 having specific different data processing capabilities for processing the data, the infrastructure making a single data service 4 available in a standardized format, the infrastructure including interfaces 6, 7 via which the data from the single data service 4 in the standardized format is adapted to the different data processing capabilities of the terminal device 1, 2, the terminal device including means for transmitting a request signal to the infrastructure via which data is requested from the infrastructure and with which information concerning the different data processing capabilities is transmitted via the terminal device 1, 2 to the infrastructure, wherein the different data processing capabilities of the terminal device 1, 2 are identified based on at least one of a terminal device identifier and a terminal device code transmitted by the terminal device 1, 2 to the service provider 3. (See, for example, page 4, line 12 to page 6, line 19, and Fig. 2).*

As to the claimed subject matter of claim 15, it concerns a method for transmitting information between an infrastructure and data users 1, 2, the infrastructure including a service provider 3, the data users 1, 2 including terminal devices 1, 2 in a motor vehicle, the terminal devices 1, 2 having specific data processing capabilities, the method including making a data service 4 available in a standardized format, using the infrastructure, and via interfaces 6, 7 situated in the infrastructure, adapting data in the standardized format to the data processing capabilities of the terminal devices 1, 2, wherein the data includes geographic information, and wherein the different data processing capabilities of the terminal devices 1, 2 are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device 1, 2 to a service provider 3. (See, for example, page 4, line 12 to page 6, line 19, and Fig. 2)

As to the claimed subject matter of claim 16, it concerns a terminal device 1, 2 for a reception of data from an infrastructure, the terminal device 1, 2 having specific different data processing capabilities arranged to process the data, the infrastructure arranged to make a single data service 4 available in a standardized format, the infrastructure including interfaces 6, 7 via which the data from the single data service 4 in the standardized format is adapted to the different data processing capabilities of the terminal device 1, 2, the terminal device 1, 2 including an arrangement configured to transmit a request signal to the infrastructure via which data is requested from the infrastructure and with which information concerning the different data processing capabilities is transmitted via the terminal device 1, 2 to the infrastructure, wherein the different data processing capabilities are identified based on at least one of a terminal device identifier and a terminal device code transmitted by the terminal device 1, 2 to a service provider 3. (See, for example, page 4, line 12 to page 6, line 19, and Fig. 2).

As to the claimed subject matter of claim 17, it concerns a method for transmitting information between an infrastructure and data users 1, 2, the infrastructure including a service provider 3 having a data service 4 configured independently of the processing capabilities of the data users 1, 2, the data users 1, 2 including terminal devices 1, 2 in a motor vehicle, the terminal devices 1, 2 having specific different data processing capabilities, the method including making a data service 4 available in a standardized format, using the infrastructure, via interfaces 6, 7 situated in the infrastructure, adapting data from the data

*service 4 in the standardized format to the different data processing capabilities of the terminal devices 1, 2, and transmitting the adapted data to a terminal device 1, 2, wherein the different data processing capabilities of the terminal devices 1, 2 are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device 1, 2 to the service provider 3. (See, for example, page 4, line 12 to page 6, line 19, and Fig. 2).*

*As to the claimed subject matter of claim 18, it concerns a device for transmitting information between an infrastructure and data users 1, 2, the infrastructure including a service provider 3 having a data service configured independently of the processing capabilities of the data users 1, 2, the data users 1, 2 including terminal devices 1, 2 in a motor vehicle, the terminal devices 1, 2 having specific different data processing capabilities, including an arrangement configured to make a data service 4 available in a standardized format, using the infrastructure, interfaces 6, 7 arranged in the infrastructure and configured to adapt data from the data service 4 in the standardized format to the different data processing capabilities of the terminal devices 1, 2, which are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device 1, 2 to the service provider 3, and a transmitter configured to transmit the adapted data to a terminal device 1, 2. (See, for example, page 4, line 12 to page 6, line 19, and Fig. 2).*

*Finally, the appealed claims include no means-plus-function language and no step-plus-function claims, so that 41.37(v) is satisfied as to its specific requirements for such claims, since none are present here. Also, the present application does not contain any step-plus-function claims because the method claims in the present application are not “step plus function” claims because they do not recite “a step for”, as required by the Federal Circuit and as stated in Section 2181 of the MPEP.*

**6. GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

A. Whether, under 35 U.S.C. § 103(a), claims 8 to 14 and 16 to 18 are unpatentable over the combination of U.S. Patent No. 5,949,492 (“Mankovitz”) and U.S. Patent No. 5,872,926 (“Levac”).

B. Whether, under 35 U.S.C. § 103(a), claim 15 is patentable over Mankovitz and Levac in view of U.S. Patent No. 5,699,255 (“Ellis”).

**7. ARGUMENT**

**A. The Rejections Under 35 U.S.C. § 103(a) That Claims 8 to 14 and 16 to 18 Are Unpatentable Over the Mankovitz Reference In View Of the Levac Reference**

**Claims 8 to 14 and 16 to 18**

Claims 8 to 14 and 16 to 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 5,949,492 (“Mankovitz”) and U.S. Patent No. 5,872,926 (“Levac”).

Claims 8 and 17 relate to methods for transmitting information between an infrastructure and data users, the data users including terminal devices in a motor vehicle. Claims 8 and 17 provide that the terminal devices have different data processing capabilities and that the method includes adapting data from a data service in a standardized format to the different data processing capabilities of the terminal devices. The data is adapted via interfaces situated in the infrastructure. Claims 8 and 17 also provide the features in which *the different data processing capabilities of the terminal devices are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to the service provider.*

Hence, according to claims 8 and 17 a terminal sends its own identifier or code to the service provider to allow the service provider to adapt the message to be sent to the terminal.

Claims 11, 16 and 18, as presented, relate to devices for transmitting information between an infrastructure and data users. Claims 11, 16 and 18, as presented, include features like those of claims 8 and 17, as presented.

It is respectfully submitted that Mankovitz and Levac, whether taken alone or combined, do not disclose or suggest a method or device for transmitting information between an infrastructure and data users, in which *different data processing capabilities of terminal devices of the data users are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to the service provider*, as provided for in the context of claims 8, 11 and 16 to 18.

The Final Office Action admits on page 3 that Mankovitz does not disclose or suggest these claimed features, and instead relies on Levac. However, in col. 2, lines 8 to 13, Levac states that “[t]he message server receives a communication generated by the message source. The communication includes a message portion and a message parameter portion, which includes information specifying a communication destination having at least one of the types of communication devices.” In other words, according to Levac the message server receives all information about the destination from the message source, not from the destination. Hence, even if one were to assume that the message parameter portion includes information about the capabilities of the destination device (which Levac does not disclose or suggest), then the message source (e.g., a different device) would need to know the specific data capabilities of the destination. But such an approach is wholly different from the presently claimed subject matter, which provides that the destination send an identifier when requesting a message from the provider.

In view of the foregoing, it is respectfully submitted that even if Mankovitz and Levac are combined (the properness of which is not conceded) it does not render unpatentable claims 8, 11 or 16 to 18, as presented, so that these claims are allowable.

Claims 9 and 10 depend from claim 8, and claims 12 to 14 depend from claim 11, and are therefore allowable for the same reasons as their base claims 8 and 11, respectively.

In sum, claims 8 to 14 and 16 to 18 are allowable for the above-stated reasons.

Accordingly, for at least these reasons, reversal of these rejections is therefore respectfully requested.

**B. The Rejection Under 35 U.S.C. § 103(a) That Claim  
15 Is Unpatentable Over the Mankovitz Reference  
In View Of the Ellis Reference**

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**Claim 15**

Claim 15 was rejected under 35 U.S.C. 103(a) as unpatentable over Mankovitz and Levac in view of U.S. Patent No. 5,699,255 ("Ellis").

It is respectfully submitted that even if it were proper to combine the references as suggested by the Final Office Action (which is not conceded), claim 15 includes features like those of the other independent claims, and is therefore allowable for essentially the same reasons, since the third-level Ellis reference does not cure the critical deficiencies of the primary references.

In view of all of the foregoing, reversal of this rejection is respectfully requested

*As further regards all of the obviousness rejections discussed herein, in rejecting a claim under 35 U.S.C. § 103(a), the Office bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim features. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Thus, to reject a claim as obvious under 35 U.S.C. § 103, the prior art must disclose or suggest each claim element and it must also suggest combining the features in the manner contemplated by the claim. (See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990)).*

Moreover, the "problem confronted by the inventor must be considered in determining whether it would have been obvious to combine the references in order to solve the problem." (See Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 679 (Fed. Cir. 1998)). It is respectfully submitted that, as discussed above, the references relied on,

whether taken alone or combined, do not suggest in any way modifying or combining the references so as to provide the presently claimed subject matter for addressing the problems and/or providing the benefits discussed herein and in the specification, as explained above.

The cases of In re Fine, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988), and In re Jones, 21 U.S.P.Q.2d 1941 (Fed. Cir. 1992), also make plain that the Final Office Action's assertions that it would have been obvious to modify the reference relied upon does not properly support a § 103 rejection. It is respectfully suggested that those cases make plain that the Final Office Action reflects a subjective "obvious to try" standard, and therefore does not reflect the proper evidence to support an obviousness rejection based on the references relied upon. In particular, the Court in the case of In re Fine stated that:

Instead, the Examiner relies on hindsight in reaching his obviousness determination. . . . **One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.**

In re Fine, 5 U.S.P.Q.2d at 1600 (citations omitted; emphasis added). Likewise, the Court in the case of In re Jones stated that:

Before the PTO may combine the disclosures of two or more prior art references in order to establish *prima facie* obviousness, there must be some suggestion for doing so, found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. . . .

**Conspicuously missing from this record is any evidence, other than the PTO's speculation (if it be called evidence) that one of ordinary skill . . . would have been motivated to make the modifications . . . necessary to arrive at the claimed [invention].**

In re Jones, 21 U.S.P.Q.2d at 1943 & 1944 (citations omitted; italics in original).

That is exactly the case here since it is believed and respectfully submitted that the Office Actions to date reflect hindsight, reconstruction and speculation, which these cases have indicated does not constitute evidence that will support a proper obviousness finding.

More recently, the Federal Circuit in the case of In re Kotzab has made plain that even if a claim concerns a "technologically simple concept" — which is not even the case here, there still must be some finding as to the "specific understanding or principle within the

knowledge of a skilled artisan” that would motivate a person having no knowledge of the claimed subject matter to “make the combination in the manner claimed”, stating that:

*In this case, the Examiner and the Board fell into the hindsight trap. The idea of a single sensor controlling multiple valves, as opposed to multiple sensors controlling multiple valves, is a technologically simple concept. With this simple concept in mind, the Patent and Trademark Office found prior art statements that in the abstract appeared to suggest the claimed limitation. But, there was no finding as to the specific understanding or principle within the knowledge of a skilled artisan that would have motivated one with no knowledge of Kotzab's invention to make the combination in the manner claimed. In light of our holding of the absence of a motivation to combine the teachings in Evans, we conclude that the Board did not make out a proper prima facie case of obviousness in rejecting [the] claims . . . under 35 U.S.C. Section 103(a) over Evans.*

(See In re Kotzab, 55 U.S.P.Q.2d 1313, 1318 (Federal Circuit 2000) (italics added)). Here again, it is believed that there have been no such findings to establish that the features discussed above of the rejected claims are met by the reference relied upon. As referred to above, any review of the reference relied upon makes plain that it simply does not describe the features discussed above of the claims as now presented.

More recent still, in the case of *In re Lee*, 61 U.S.P.Q.2d 1430, 1433-35 (Fed. Cir. 2002), the Court reversed the Board of Appeals for relying on conclusory statements, stating the following:

*With respect to Lee's application, neither the examiner nor the Board adequately supported the selection and combination of the Nortrup and Thunderchopper references to render obvious that which Lee described. The examiner's conclusory statements that “the demonstration mode is just a programmable feature which can be used in many different device[s] for providing automatic introduction by adding the proper programming software” and that “another motivation would be that the automatic demonstration mode is user friendly and it functions as a tutorial” do not adequately address the issue of motivation to combine. **This factual question of motivation is material to patentability, and could not be resolved on subjective belief and unknown authority.** It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to “[use] that which the inventor taught against its teacher.”*

Thus the Board must not only assure that the requisite findings are made, based on evidence of record, but must also explain the reasoning by which the findings are deemed to support the agency's conclusion.

....

*In its decision on Lee's patent application, the Board rejected the need for "any specific hint or suggestion in a particular reference" to support the combination of the Nortrup and Thunderchopper references. **Omission of a relevant factor required by precedent is both legal error and arbitrary agency action.***

*[The] "common knowledge and common sense" on which the Board relied in rejecting Lee's application are not the specialized knowledge and expertise contemplated by the Administrative Procedure Act. **Conclusory statements such as those here provided do not fulfill the agency's obligation.***

[The] Board's findings must extend to all material facts and must be documented on the record, lest the "haze of so-called expertise" acquire insulation from accountability. "Common knowledge and common sense," even if assumed to derive from the agency's expertise, do not substitute for authority when the law requires authority.

Thus, the proper evidence of obviousness must show why there is a suggestion as to the reference so as to provide the subject matter of the claims and its benefits.

In short, there is no evidence that the reference relied upon, whether taken alone or otherwise, would provide the features of the claims discussed above. It is therefore respectfully submitted that the claims are allowable for these reasons.

As further regards all of the obviousness rejections of the claims, it is respectfully submitted that not even a *prima facie* case has been made in the present case for obviousness, since the Office Actions to date never made any findings, such as, for example, regarding in any way whatsoever what a person having ordinary skill in the art would have been at the time the claimed subject matter of the present application was made. (See *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998) (the "factual predicates underlying" a *prima facie* "obviousness determination include the scope and content of the prior art, the differences between the prior art and the claimed invention, and the level of ordinary skill in the art"))). It is respectfully submitted that the proper test for showing obviousness is what the

“combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art”, and that the Patent Office must provide particular findings in this regard — the evidence for which does not include “broad conclusory statements standing alone”. (See *In re Kotzab*, 55 U.S.P.Q. 2d 1313, 1317 (Fed. Cir. 2000) (citing *In re Dembiczak*, 50 U.S.P.Q.2d 1614, 1618 (Fed. Cir. 1999) (obviousness rejections reversed where no findings were made “concerning the identification of the relevant art”, the “level of ordinary skill in the art” or “the nature of the problem to be solved”))). It is respectfully submitted that there has been no such showings by the Office Actions to date or by the Advisory Action.

In fact, the present lack of any of the required factual findings forces both Appellants and this Board to resort to unwarranted speculation to ascertain exactly what facts underly the present obviousness rejections. The law mandates that the allocation of the proof burdens requires that the Patent Office provide the factual basis for rejecting a patent application under 35 U.S.C. § 103. (See *In re Piasecki*, 745 F.2d 1468, 1472, 223 U.S.P.Q. 785, 788 (Fed. Cir. 1984) (citing *In re Warner*, 379 F.2d 1011, 1016, 154 U.S.P.Q. 173, 177 (C.C.P.A. 1967))). In short, the Examiner bears the initial burden of presenting a proper prima facie unpatentability case — which has not been met in the present case. (See *In re Oetiker*, 977 F.2d 1443, 1445, 24, U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992)).

Accordingly, all of claims 8 to 18 are allowable.

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**CONCLUSION**

In view of the above, it is respectfully requested that the rejections of claims 8 to 18 be reversed, and that these claims be allowed as presented.

Dated: \_\_\_\_\_

4/13/2007

Respectfully submitted,

By: \_\_\_\_\_

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**CLAIMS APPENDIX**

1-7. (Canceled).

8. A method for transmitting information between an infrastructure and data users, the infrastructure including a service provider, the data users including terminal devices in a motor vehicle, the terminal devices having specific different data processing capabilities, the method comprising the steps of:

making a single data service available in a standardized format, using the infrastructure; and

via interfaces situated in the infrastructure, adapting data from the single data service in the standardized format to the different data processing capabilities of the terminal devices,

wherein the different data processing capabilities of the terminal devices are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to the service provider.

9. The method according to claim 8, further comprising the step of carrying-out a transmission between the infrastructure and the data users via a digital mobile telephone network.

10. The method according to claim 8, further comprising the steps of:

transmitting request data from the data users to the infrastructure; and

selecting the data service and at least one of the interfaces as a function of the request data.

11. A terminal device for a reception of data from an infrastructure, the terminal device having specific different data processing capabilities for processing the data, the infrastructure making a single data service available in a standardized format, the infrastructure including interfaces via which the data from the single data service in the standardized format is adapted to the different data processing capabilities of the terminal device, the terminal device comprising:

means for transmitting a request signal to the infrastructure via which data is requested from the infrastructure and with which information concerning the different data processing capabilities is transmitted via the terminal device to the infrastructure,

wherein the different data processing capabilities of the terminal device are identified based on at least one of a terminal device identifier and a terminal device code transmitted by the terminal device to the service provider.

12. The terminal device according to claim 11, further comprising means for exchanging data with the infrastructure via a digital mobile telephone network.

13. The terminal device according to claim 11, wherein the terminal device is a car radio with supplementary functions.

14. The terminal device according to claim 11, wherein the information concerning the different data processing capabilities of the terminal device includes the terminal device identifier.

15. A method for transmitting information between an infrastructure and data users, the infrastructure including a service provider, the data users including terminal devices in a motor vehicle, the terminal devices having specific data processing capabilities, the method comprising the steps of:

making a data service available in a standardized format, using the infrastructure; and via interfaces situated in the infrastructure, adapting data in the standardized format to the data processing capabilities of the terminal devices;

wherein the data includes geographic information, and

wherein the different data processing capabilities of the terminal devices are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to a service provider.

16. A terminal device for a reception of data from an infrastructure, the terminal device having specific different data processing capabilities arranged to process the data, the

infrastructure arranged to make a single data service available in a standardized format, the infrastructure including interfaces via which the data from the single data service in the standardized format is adapted to the different data processing capabilities of the terminal device, the terminal device comprising:

an arrangement configured to transmit a request signal to the infrastructure via which data is requested from the infrastructure and with which information concerning the different data processing capabilities is transmitted via the terminal device to the infrastructure,

wherein the different data processing capabilities are identified based on at least one of a terminal device identifier and a terminal device code transmitted by the terminal device to a service provider.

17. A method for transmitting information between an infrastructure and data users, the infrastructure including a service provider having a data service configured independently of the processing capabilities of the data users, the data users including terminal devices in a motor vehicle, the terminal devices having specific different data processing capabilities, the method comprising the steps of:

making a data service available in a standardized format, using the infrastructure;  
via interfaces situated in the infrastructure, adapting data from the data service in the standardized format to the different data processing capabilities of the terminal devices; and  
transmitting the adapted data to a terminal device,

wherein the different data processing capabilities of the terminal devices are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to the service provider.

18. A device for transmitting information between an infrastructure and data users, the infrastructure including a service provider having a data service configured independently of the processing capabilities of the data users, the data users including terminal devices in a motor vehicle, the terminal devices having specific different data processing capabilities, comprising:

an arrangement configured to make a data service available in a standardized format, using the infrastructure;

interfaces arranged in the infrastructure and configured to adapt data from the data service in the standardized format to the different data processing capabilities of the terminal devices, which are identified based on at least one of a terminal device identifier and a terminal device code transmitted by a respective terminal device to the service provider; and a transmitter configured to transmit the adapted data to a terminal device.

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EVIDENCE APPENDIX

Appellants have not submitted any evidence pursuant to 37 C.F.R. Sections 1.130, 1.131 or 1.132, and do not rely upon evidence entered by the Examiner.

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RELATED PROCEEDINGS INDEX

There are no interferences or other appeals related to the present application.